

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

v.

EDWARD MCDONALD

§
§
§
§
§

NO. 1:07-CR-33

**ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS**


Defendant Edward McDonald moves to withdraw his plea of guilty to Count 2 of the Indictment.

The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. Judge Hines concluded that defendant did not meet his burden of showing a fair and just reason for the withdrawal, and therefore recommended that the motion to withdraw his plea of guilty be denied.

No objections have been filed. Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is further

ORDERED that defendant's motion to withdraw plea (Docket No. 48) is **DENIED**.

SIGNED this the 10 day of **December, 2007**.


Thad Heartfield
United States District Judge